

MINUTE ITEM

This Calendar Item No. C25 was approved as Minute Item No. 25 by the California State Lands Commission by a vote of 3 to 4 at its 02-09-06 meeting.

**CALENDAR ITEM
C25**

A 4
S 1

02/09/06
PRC 8662 W 26081
B. Dugal

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Edgelake Beach Timeshare Owners Association, Inc.
PO Box 318
Tahoe Vista, California 96148

AREA, LAND TYPE, AND LOCATION:

0.344 acres, more or less, of sovereign land in Lake Tahoe, near Tahoe Vista, Placer County.

AUTHORIZED USE:

Use and maintenance of an existing pier, ten mooring buoys, and one U. S. Coast Guard marker buoy as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning February 1, 2006.

CONSIDERATION:

\$1,422 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of no less than \$1,000,000.

Other:

This lease is conditioned on Applicant obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years after the adoption of the Lake Tahoe Shorezone Amendments-Draft Environmental Impact Statement (EIS) and approval of the ordinances based on the EIS.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

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2. While the Applicant owns the uplands, the Applicant does not qualify for a rent-free lease pursuant to Public Resources Code section 6503.5. Therefore, the Applicant is applying for a General Lease – Recreational Use for the existing improvements.
3. The Applicant purchased the uplands in 1993 and, according to the information provided with the application, the pier and buoys existed at that time. Staff has negotiated back rent in the amount of \$4,266.
4. **Pier:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(1).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

5. **Buoys:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(3).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

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APPROVALS REQUIRED:

Buoys: United States Army Corps of Engineers and the Tahoe Regional Planning Agency

EXHIBIT:

A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A (not a "development project" subject to the Act)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(1).

BUOYS: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(3).

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

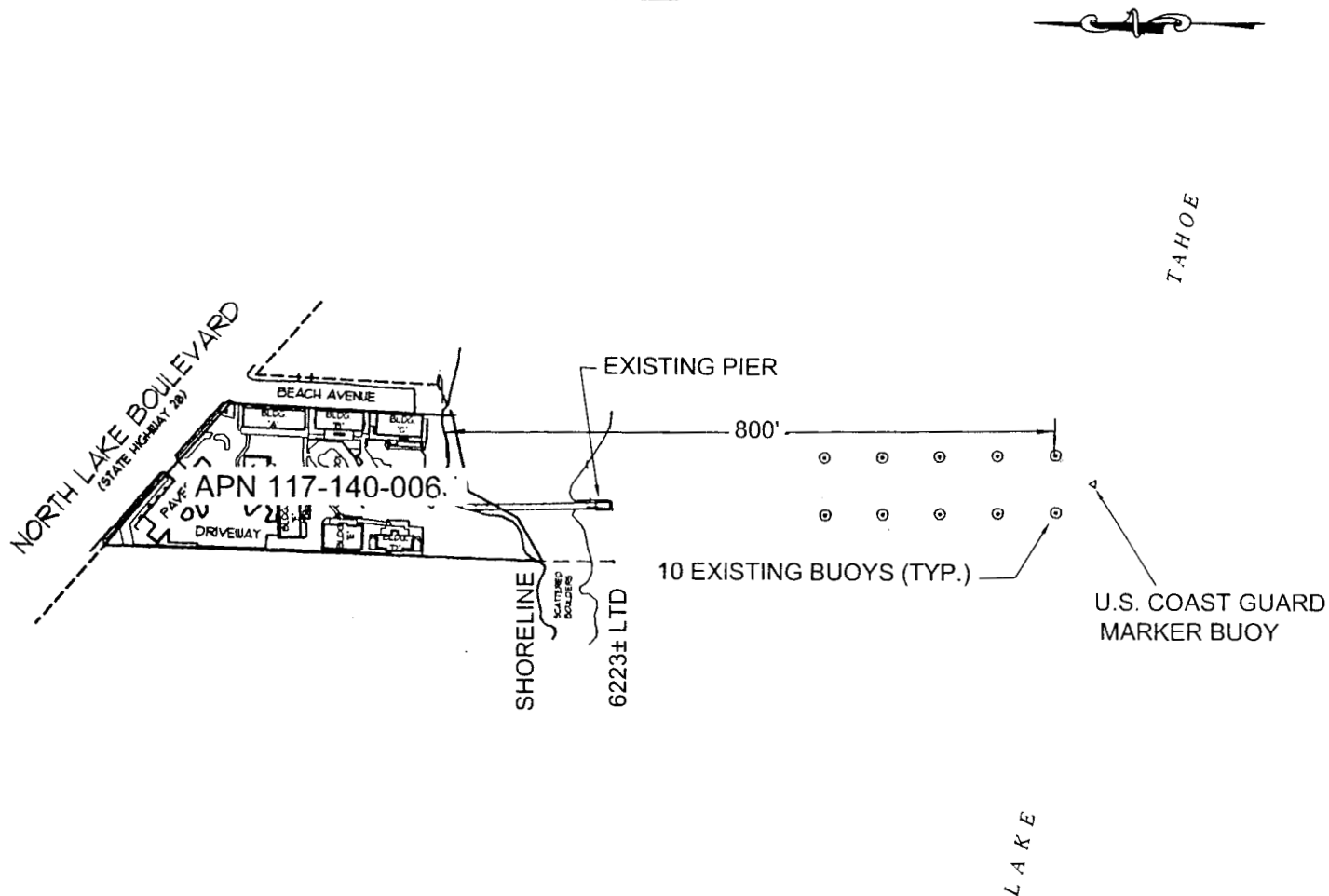
AUTHORIZE 1) ISSUANCE TO EDGELAKE BEACH TIMESHARE OWNERS ASSOCIATION, INC., OF A GENERAL LEASE - RECREATIONAL USE, BEGINNING FEBRUARY 1, 2006, FOR A TERM OF TEN YEARS, FOR THE USE AND MAINTENANCE OF AN EXISTING

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PIER, TEN MOORING BUOYS, AND ONE US COAST GUARD MARKER BUOY ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$1,422, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; COMBINED SINGLE LIMIT LIABILITY INSURANCE COVERAGE NO LESS THAN \$1,000,000; AND 2) THE SETTLEMENT OF BACK RENT IN THE AMOUNT OF \$4,266.

NO SCALE

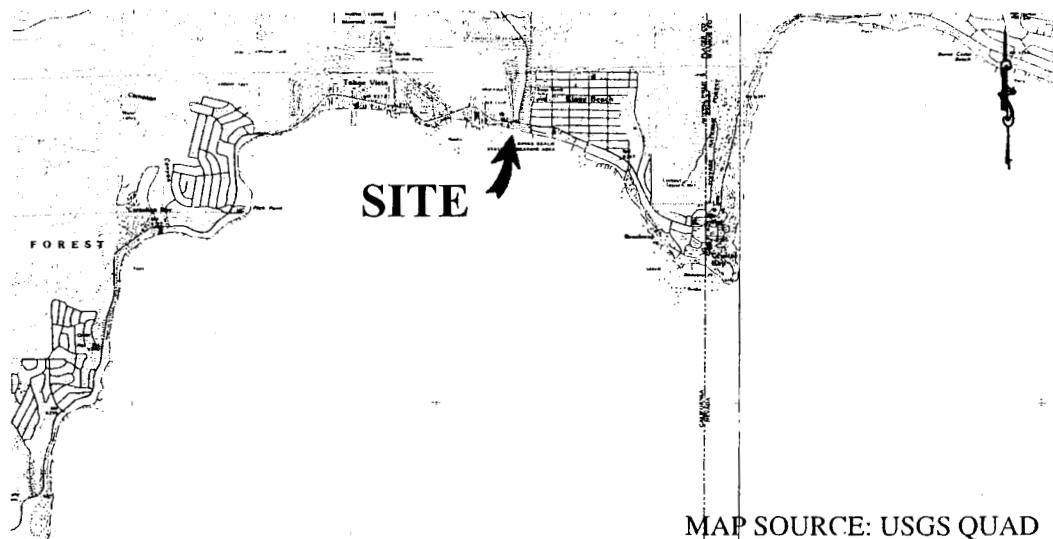
SITE



7680 NORTH LAKE BOULEVARD, TAHOE VISTA

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

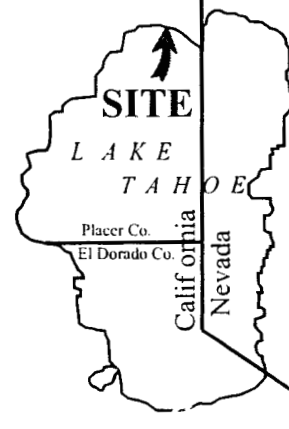
This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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Exhibit A

W 26081
EDGELAKE BEACH
TIMESHARE OWNERS
APN 117-140-006
GENERAL LEASE
RECREATIONAL USE
PLACER COUNTY



MJJ 10/05